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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,240	08/02/2001	Jason Wayne Wrape	00970	6011
26285	7590	12/08/2004	EXAMINER	
KIRKPATRICK & LOCKHART LLP 535 SMITHFIELD STREET PITTSBURGH, PA 15222			PEARSON, YVETTE B	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,240

Applicant(s)

WRAPÉ, JASON WAYNE

Examiner

Yvette Pearson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1. Claims 1-16 are presented for examination in the application.**

Acknowledgement is made of the Information Disclosure document filed August 2, 2001.

Claim Rejections - 35 USC § 102

- 2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 3. Claims 10 -15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bosa et al (US 6,115,362).**
- 4. As per Claims 10 and 13, Bosa teaches a system for provisioning a data link connection identifier in a frame relay network of a network management system that comprises a permanent virtual connection with an associated data link connection identifier (Column 1, Lines 19 – 27; 33 - 37), wherein a network interface and control**

subsystem (Figure 1, #16) monitors the stored the DLCI (Column 8, Lines 44 – 49; Figure 8, #82; Figure 9, #92); the virtual network machine (network management system) maintains inference handlers (network modules) for processing the network data and remotely displaying the DLCI (Column 4, Lines 29 – 36; Figure 1, #17), while provisioning a unique channel (DLCI) connection by utilizing a correlation matrix to identify an incoming channel of a frame relay connection and the corresponding outgoing channel for each active connection (Column 7, Lines 20 – 28; Figure 4.)

5. As per Claims 11 and 14, Bosa teaches a network management system for provisioning a data link connection identifier in a frame relay network comprising a network management system using a client-server architecture (Column 4, Lines 36 – 41; Figure 1).

6. As per Claims 12 and 15, Bosa teaches a network management system implemented on a general purpose computer wherein the client interface may provide commands to devices on the network (Column 9, Lines 63 – 67.)

Thus, Bosa discloses all limitations of the rejected claims, therefore Bosa anticipates the subject matter of claims 10 – 15.

7. Claims 1, 2, 9, 10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Hammerstein et al (US 6,292,495).

8. As per Claim 1, Hammerstein teaches a system for displaying network configuration information comprising permanent virtual circuits established in a frame relay network (Column 6, Lines 11-14; Figure 6) that utilize a Local Management

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Interface that provides link status messages received from a remote frame relay access device (Column 6, Lines 19 –22; Figure 8.)

9. As per Claim 2, Hammerstein teaches a system for displaying network configuration information comprising an interface for LAN connection (client) commands to a frame relay access device (server) in communication with the frame relay network for displaying the DLCI (Column 1, Lines 32 – 37; Lines 52 – 57; Column 2, Lines 7-10).

10. As per Claim 9, Hammerstein teaches a system for remotely displaying network information wherein the frame relay network is used to interconnect local area networks (LANs) to other LAN stations to include multiple LAN configurations (personal computers, workstations or larger computers (Column 1, Lines 34 – 40; Figure 1.)

11. As per Claims 10 and 13, Hammerstein teaches a system for provisioning a data link connection identifier in a frame relay network comprising a network management system that stores the DLCI (Column 7, Lines 16 –20; Column 12, Lines 22 – 24; Figure 8), allowing the Local Management module to remotely display the DLCI (Column 11; Lines 44 – 49) and query the network management system for configuration parameters to the frame relay network (Column 8; Lines 41 – 46.)

Thus Hammerstein discloses all limitations of the rejected claims, therefore Hammerstein anticipates the subject matter of claims 1, 2, 9, 10 and 13.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammerstein et al (US 6,292,495) in view of Venkatraman et al (US 2001/0044836).

13. With respect to claim 3, Hammerstein teaches a system for communicating link status information across a frame relay network for a plurality of virtual circuits (Column 5, Lines 40 – 45.) comprising respective routers to access client interfaces (Column 9, Lines 47 – 49; Figure 6, #14a/b.), but fails to specifically teach a network module that accesses a web site interface with designated functionality. However Venkatraman teaches embedding web access functionality into a device that would allow a web page for inputting the DLCI or Port-name query of the frame relay access device whereby the DLCI search results could be configured to display source and destination information for a port (interface functions specifically for that device [Page 2, ¶19; Figure 1B]) wherein the user enters a URL corresponding to the device into the web browser (Page 3, ¶42).

Therefore, it would have been obvious to one having ordinary skill in the art having the teachings of Hammerstein and Venkatraman before one at the time of the invention to include the web access functionality coupled to the frame relay access device because Hammerstein teaches the select utilization of a telnet session for user

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access (Column 7, Lines 52 – 53) which provides access to a remote computer over the internet. The combination would have provided a desirable web interface between users and the network management system to accommodate the provisioning of data link connection identifiers.

14. With respect to claims 4 – 7, similar to claim 3, the combination of Hammerstein and Venkatraman teaches the provisioning of web access functionality for communicating link status information across a frame relay network. Therefore, the claims are rejected for the same reasons as above.

15. With respect to claim 8, Hammerstein teaches a system for communicating link status information across a frame relay network for a plurality of virtual circuits (Column 5, Lines 40 – 45) comprising respective routers to access client interfaces (Column 9, Lines 47 – 49; Figure 6, #14a/b.), wherein the network topology used to implement the network relationships includes Ethernet, Fiber Distributed Data Interface or Token Ring configurations (Column 1, Lines 32 – 40), but fails to specifically teach a network module that accesses a web site interface with designated functionality. However Venkatraman teaches embedding web access functionality into a device that would allow a web page for inputting the DLCI or Port-name query of the frame relay access device whereby the DLCI search results could be configured to display source and destination information for a port (interface functions specifically for that device [Page 2, ¶19; Figure 1B]) wherein the user enters a URL corresponding to the device into the web browser (Page 3, ¶42).

Therefore, it would have been obvious to one having ordinary skill in the art having the teachings of Hammerstein and Venkatraman before one at the time of the invention to include full mesh, partial mesh and ring topologies in the network configurations. The combination would provide internet functionality and enhanced LAN-to-LAN access for communicating the link status information across the frame relay network.

16. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hammerstein et al (US 6,292,495).

17. With respect to Claim 16, Wrape discloses the invention as claimed, detailed above with respect to Hammerstein; however, Wrape does not particularly disclose a computer program product on one or more computer readable media as being claimed in Claim 16. However, one of ordinary skill in the art would have recognized that computer-readable medium (i.e. floppy, cd-rom, etc.) would provide as a computer program product for implementing a method, because it would facilitate the transporting and installing of the method on a system. For example, a copy of the Microsoft Windows operating system can be found on a CD-ROM from which Windows can be installed onto other systems, which is more practical than a physical cable connection or manually entering the software.

Therefore, it would have been obvious to put Wrape's program on a computer readable media to facilitate transporting, installing and implementing Wrape's program on other systems.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,249,572 (Brockman et al) discloses a method of generating detail records in a communication network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvette Pearson whose telephone number is 571 272-4227. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Cuchlinski can be reached on 571 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4227.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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